

THE LAW OFFICES OF
NEAL BRICKMAN, P.C.

420 LEXINGTON AVENUE, SUITE 2440
NEW YORK, NEW YORK 10170

NEAL BRICKMAN
JUDITH L. GOLDSBOROUGH
ETHAN Y. LEONARD
VIRIGNIA A. REILLY
JASON A. STEWART

The case is stayed until May 29, 2020. The parties should provide the Court with a status report prior to the date.
So ordered.

New York, NY
April 7, 2020

/s/ John G. Koeltl

John G. Koeltl
U.S.D.J.

TELEPHONE:
(212) 986-6840

TELECOPIER:
(212) 986-7691

Via ECF

Hon. John G. Koeltl
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

April 7, 2020

Re: *Fong M.D. v. Weill Cornell Medical College et al.*
Civ. No. 19-CV-08416 (JGK)

Dear Judge Koeltl:

We write to the Court in light of what has been an unusual course of dealings in what are clearly unprecedented times. The parties have reached a settlement in principle but have been delayed in formalizing that settlement into a written agreement. Our client is a physician, who despite bringing this employment discrimination litigation, is and will continue to provide medical services for the defendants Weill Cornell Medical College and NY Presbyterian Hospital during the national health crisis brought on by COVID-19. As the Court may recall, the parties engaged in a course of Settlement Discussions beginning at and then following a Settlement Conference held before Magistrate Judge Gorenstein on January 10, 2020. Those settlement discussions continued, albeit slowly, up until and through March 13, 2020, at which time the Plaintiff and Defendants reached a settlement in principle, agreeing to the economic terms and all other material terms necessary for this matter to resolve.

Under normal circumstances, we would have expected a settlement agreement to have been exchanged and that this correspondence would be advising the Court of the resolution of this matter, however, given both our client and the defendants continuing role in battling the national health crisis and the impact of the crisis on the attorneys involved this case, it has proven impossible to fully effectuate our settlement in the timeframe that would usually be expected. We understand that the resources of the medical institutions are currently under great pressure and strain, which apparently has resulted in the Defendants being unable to take the steps necessary to finalize the settlement. We therefore write the Court to provide this update and to request a stay of the litigation while the parties finalize the settlement of this matter. We have and continue to request a settlement agreement from the Defendants, and we shall further update the Court upon finalizing the resolution of this matter. Thank you for your attention to this matter.

Very Truly Yours,

/s/ Jason A. Stewart
Jason A. Stewart (JS4602)
Neal Brickman (NB0874)

cc:

Benjamin Eldridge Stockman, Esq.
Brian Clark, Esq.
VENABLE LLP
*Attorneys for Defendants Weill Cornell
Medical College and Hugh C. Hemmings, Jr. M.D.*
1270 Avenue of Americas
New York, New York 10020
(via ECF)

John Houston Pope, Esq.
EPSTEIN BECKER & GREEN
Attorneys for Defendant New York Presbyterian Hospital
875 Third Avenue
New York, New York 10022
(via ECF)